

From: Marvin Gardner
To: Microsoft ATR
Date: 1/14/02 10:38am
Subject: Fw: Microsoft Settlement

Dear Sir:

I would like to submit some argument as an amicus curiae. The Attorney General gave me your e-mail address, for which I am very thankful.

I am aware that this amounts to a large amount of reading, but until today I had no idea of how to contact you. I strongly request that you take the time, especially to read the information posted at the first URL in the enclosed message. I lived and worked in Silicon Valley (San Jose, California) from 1973-1995 working in the semiconductor industry. As such, I am pretty well acquainted with the history of Microsoft and Bill Gates, which the huge majority of people in this nation are totally unaware of.

Secondly, I strongly suggest that my 5-point "settlement" proposal contained in the enclosed letter is (in all likelihood) the only one that will do true justice to the people of this nation.

Thank you for your consideration.

Marvin Gardner
Boise, Idaho

----- Original Message -----

From: Marvin Gardner
To: Connecticut AG ; Florida AG ; Iowa AG ; Kansas AG ; Massachusetts AG ; Minnesota AG ; Utah AG
Sent: Thursday, January 10, 2002 9:34 AM
Subject: Microsoft lawsuit

Bill Gates, beyond question, is an incorrigible (non-lethal) sociopath at core. (If you would like a quick biographical (personal and business) proof of that statement, you can find it on a page I authored and posted a couple of years ago: http://sonsofliberty.org/wrecking_crew/bill_gates.html)

In a nutshell, Gates obtained his de facto control of both, the home computer and internet software fields by the skillful (and totally unprincipled) "use" of legal stalling. By financially outlasting his opponents through an endless series of challenges and appeals until his opponents dropped out. Only one company - Apple Computer (which was financially as large as Microsoft at the time of the law suit) - has been able to financially "stay the course" with Microsoft, and Apple won!

Last summer, when the Appeals Court threw out Judge Jackson's penalty (but verified the verdict) and the U.S. Attorney General publicly announced it would "settle" with Microsoft out of court, I contacted U.S. Senator Larry Craig's local (Boise, Idaho) office, sat down with one of his employees and "educated" that employee on what Microsoft had done throughout its history in order to control the software business,

and set down the steps (conditions) that are necessary in any "settlement" that would bring justice to the people of America. And I urged that employee (with whom I have a friendship) to urge the D.C. office to have Sen. Craig pass on to AG John Ashcroft. (Craig and Ashcroft have had an especially close personal relationship, through their "off duty" participation in the "Singing Senators" quartet.)

I have no idea as to whether or not the Senator did pass the information on to Ashcroft. I only know that, just a few weeks later, the DoJ announced it's (total cave-in) to Microsoft. I also know that, sometime during the first 10 months of last year (the FEC printout I received last November does not give the dates of donations, just the "span of time" during which they were given), the Microsoft PAC gave \$6,000 to Senator Craig. And considering the fact that, in all the years Craig has been a Senator and Microsoft has been donating to Congressmen, it had given a grand total of only \$2,000 total to Craig, I wonder.

Anyway...

There are 5 points that any settlement with Microsoft will have to include in order for the American people (and software businesses) to at last have justice:

1. All Microsoft software must be "open architecture" (a technical term that the software industry understands).
2. Microsoft must publish and distribute free of any and all charges the source code of any and all software it releases.
3. There must be total unbundling of all Microsoft task-specific software.
4. All future Microsoft software releases must be 100% "backwards compatible" with all earlier Microsoft editions of similar programs.
5. All future Microsoft release must contain no "blocking" of competitors' software.

I feel certain that some of you might not understand the importance of some (if not all) of those 5 points, so I will have an explanation of the "why" of each of them posted on my personal web site by tomorrow (January 11). It will be accessible at www.bigskytel.com/~marvingardner/MS_justice.html

Yours truly,

Marvin Gardner